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Docket No.: 80169(302730)
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Hirofumi Yoshioka

Application No.: 10/537,094

Confirmation No.: 2106

Filed: June 2, 2005

Art Unit: N/A

For: GERM-RESPONSIVE PROMOTER

Examiner: Not Yet Assigned

INFORMATION DISCLOSURE STATEMENT (IDS)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Pursuant to 37 CFR 1.56, 1.97 and 1.98, the attention of the Patent and Trademark Office is hereby directed to the references listed on the attached PTO/SB/08. It is respectfully requested that the information be expressly considered during the prosecution of this application, and that the references be made of record therein and appear among the "References Cited" on any patent to issue therefrom.

References BA, BB and CA - CC were cited in the Supplementary International Search Report. A copy of the Supplementary International Search Report is enclosed.

This Information Disclosure Statement is filed before the mailing date of a first Office Action on the merits as far as is known to the undersigned (37 CFR 1.97(b)(3)).

A copy of only those references listed below is attached:

For. Doc No.	Ctry	Patentee/Applicant	Publication Date
1078985	EP	Canada Majesty In Right	February 28, 200
91/15585	PCT	Rijkslandbouwuniversiteit Wageningen	October 17, 1991

Other Documents
Hirofumi Yoshioka et al., "cDNA Cloning of Sesquiterpene Cyclase and Squalene Synthase, and Expression of the Genes in Potato Tuber Infected with <i>Phytophthora Infestans</i> ," Plant Cell Physiology, Vol. 40, No. 9, September 1999, p.993-998.
Yoshioka H. et al., "Solanum tuberosum PVS3 mRNA for veticpiradiene synthase, complete cds," DATABASE EMBL [Online], XP-002444030 retrieved from EBI accession no. EMBL: AB022720, 2 pages.
MHAI Joosten et al., "The Tomato - Cladosporium Fulvum Interaction: A Versatile Experimental System to Study Plant-Pathogen Interactions," Annual Review of Phytopathol, 1999, pp. 335-367.

The Director is hereby authorized to charge any deficiency in the fees filed, asserted to be filed or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Deposit Account No. 04-1105, under Order No. 80169(302730). A duplicate copy of this paper is enclosed.

Dated: September 6, 2007

Respectfully submitted,

By

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Used in Lieu of PTO/SB/08A/B
(Based on PTO 04-07 version)

Substitute for form 1449/PTO				Complete if Known	
				Application Number	10/537,094-Conf. #2106
				Filing Date	June 2, 2005
				First Named Inventor	Hirofumi Yoshioka
				Art Unit	N/A
				Examiner Name	Not Yet Assigned
Sheet	1	of	1	Attorney Docket Number	80169(302730)

U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. ¹	Document Number	Publication Date	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code ² (<i>if known</i>)	MM-DD-YYYY		

FOREIGN PATENT DOCUMENTS					
Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear
		Country Code ³ -Number ⁴ -Kind Code ⁵ (<i>if known</i>)	MM-DD-YYYY		
	BA	EP-1078985	02-28-2001	Canada Majesty In Right Of	
	BB	WO-91/15585	10-17-1991	Rijkslandbouwhogeschool	

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹Applicant's unique citation designation number (optional). ²See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁶Applicant is to place a check mark here if English language Translation is attached.

NON PATENT LITERATURE DOCUMENTS					
Examiner Initials	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.			T ²
	CA	Hirofumi Yoshioka et al., "cDNA Cloning of Sesquiterpene Cyclase and Squalene Synthase, and Expression of the Genes in Potato Tuber Infected with <i>Phytophthora Infestans</i> ," <i>Plant Cell Physiology</i> , Vol. 40, No. 9, September 1999, p.993-998.			
	CB	Yoshioka H. et al., "Solanum tuberosum PVS3 mRNA for vetrspiradiene synthase, complete cds," <i>DATABASE EMBL [Online]</i> , XP-002444030 retrieved from EBI accession no. EMBL: AB022720, 2 pages.			
	CC	MHAI Joosten et al., "The Tomato - Cladosporium Fulvum Interaction: A Versatile Experimental System to Study Plant-Pathogen Interactions," <i>Annual Review of Phytopathol</i> , 1999, pp. 335-367.			

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Examiner Signature	Date Considered
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